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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 Federal National Mortgage Association,
10 Plaintiff,

No. CV-11-1227-PHX-DGC

ORDER

11 vs.

12 Marshall Home; and Independent Rights
13 Party,

14 Defendants.

15 Plaintiff Federal National Mortgage Association (“Fannie Mae”) claims that
16 Marshall Home, founder of the Independent Rights Party (“IRP”), has fraudulently
17 executed and recorded special warranty deeds which purport to transfer to IRP the titles
18 to multiple properties owned by Fannie Mae. Doc. 1. In an order dated July 1, 2011
19 (Doc. 38), the Court granted Fannie Mae’s motion for preliminary injunctive relief and
20 denied Mr. Home’s pro se motion to dismiss.¹

21 Defendants have failed to answer or otherwise respond to the complaint as
22 required by the Federal Rules of Civil Procedure. Fannie Mae has filed a motion for the
23 entry of default, final judgment, and permanent injunction. Doc. 44. The Clerk has
24 entered Defendants’ default pursuant to Rule 55(a). Doc. 45. The motion will be denied

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26 ¹ Mr. Home purported to file the motion to dismiss on behalf of himself and
27 Defendant IRP, but only licensed attorneys may represent corporations and other entities
28 in federal court. *See Rowland v. Cal. Men’s Colony, Unit II Men’s Advisory Council*, 506
U.S. 194, 201-202 (1993) (citing *Osborn v. President of Bank of U.S.*, 9 Wheat. 738, 829,
6 L.Ed. 204 (1824)).

1 as moot in this regard. *See* Doc. 44 at 1-2.

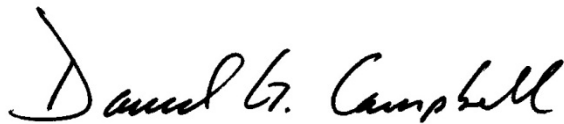
2 With respect to the request for a default judgment pursuant to Rule 55(b) and
3 *Eitel v. McCool*, 782 F.2d 1470 (9th Cir. 1986) (Doc. 44 at 2-12), Defendants have failed
4 to file a response and the time for doing so has expired. Defendants shall have until
5 **September 9, 2011** to respond to the motion for final judgment and permanent
6 injunction. As noted above, Defendant IRP may file a response only through licensed
7 counsel.

8 **IT IS ORDERED:**

9 1. Fannie Mae's motion for entry of default (Doc. 44 at 1-2) is **denied** as
10 moot.

11 2. Defendants shall have until **September 9, 2011** to respond to the motion
12 for final judgment and permanent injunction (Doc. 44 at 2-12). **No further extensions**
13 **will be granted absent truly extraordinary circumstances.**

14 Dated this 25th day of August, 2011.

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David G. Campbell
United States District Judge
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